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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 REMINGTON LEBOE,) CASE NO. C09-1108-MJP
09 Plaintiff,)
10 v.) REPORT AND RECOMMENDATION
11 KING COUNTY JAIL, *et al.*,)
12 Defendants.)
13 _____)

14 Plaintiff Remington LeBoe proceeds with this 42 U.S.C. § 1983 action *pro se* and in
15 *forma pauperis*. On October 19, 2009, mail directed to Mr. LeBoe by the Clerk was returned
16 as undeliverable.¹ (Dkt. 11.) Local Rule CR 41(b)(2) provides as follows:

17 A party proceeding *pro se* shall keep the court and opposing
18 parties advised as to his current address. If mail directed to a
19 *pro se* plaintiff by the clerk is returned by the post office, and if
such plaintiff fails to notify the court and opposing parties within
sixty days thereafter of his current address, the court may dismiss
the action without prejudice for failure to prosecute.

20 Thus, Mr. LeBoe should have notified the Court of his current address at latest by December 18,
21 2009. *See also* Local Rule W.D. Wash. CR 10(f) (requiring parties to notify the Court within

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1 On December 1, 2009, additional mail directed to Mr. LeBoe by the Clerk was
returned as undeliverable.

01 ten days of a change of address). The Court is unaware of any other place of residence or
02 confinement for Mr. LeBoe. Because Mr. LeBoe has failed to notify the Court of his current
03 address by the sixty-day deadline to do so, this action should be dismissed without prejudice for
04 failure to prosecute.

05 The Court recommends that this action be DISMISSED without prejudice for failure to
06 prosecute pursuant to Local Rule CR 41(b)(2). A proposed order accompanies this Report and
07 Recommendation.

08 DATED this 5th day of January, 2010.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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